

FORM PTO-1190  
(REV 10-96)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

64978

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/242540

INTERNATIONAL APPLICATION NO.

PCT/EP97/03245

INTERNATIONAL FILING DATE

20 June 1997

PRIORITY DATE CLAIMED

20 June 1996

TITLE OF INVENTION : PYRIDYL ALKENE- AND PYRIDYL ALKINE - ACID AMIDES  
AS CYTOSTATICS AND IMMUNOSUPPRESSIVES

APPLICANT(S) FOR DO/EO/US

Elfi Biedermann et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - WIPO Publication WO97/48696
  - PCT Form IB/308
  - International Preliminary Examination Report (IPEA 409)
  - General Petition for Extension of Time Under 37 CFR 1.136(a) (3)

## CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EL 279615896 US

Date of Deposit Feb. 18, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

ED PRICE

(Typed or printed name of person mailing)

(Signature of person mailing)

17. ☒ The following fees are submitted:

## BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Search Report has been prepared by the EPO or JPO ..... \$ 840.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$ 670.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$ 760.00

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$ 970.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$ 96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

## CALCULATIONS PTO USE ONLY

\$ 840 00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130 00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	40 - 20 =	20	X \$ 18.00
Independent claims	1 - 3 =		X \$ 78.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 260.00

\$ 360 00

\$

\$ 1330 00

TOTAL OF ABOVE CALCULATIONS =

\$

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

\$

SUBTOTAL =

\$ 1330 00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

TOTAL NATIONAL FEE =

\$ 1330 00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

40 00

TOTAL FEES ENCLOSED =

\$ 1370 00

Amount to be:  
refunded \$

charged \$

- a. ☒ A check in the amount of \$1330.00 to cover the above fees is enclosed, and a check in the amount of \$40.00 is enclosed to cover the assignment recording fee.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1135. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

FITCH, EVEN, TABIN & FLANNERY  
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Chicago, IL 60603-3406 U.S.A.

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SIGNATURE:

Kenneth H. Samples

NAME

25,747

REGISTRATION NUMBER